

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Samuel B. Foster, Jr.,

Plaintiff,

-against-

City of New York and NYC Health +
Hospitals,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/21/2023

1:23-cv-02861 (PAE) (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

WHEREAS, on September 14, 2023, the Court entered an Order extending the deadline for Defendants to comply with the *Valentin* Order until October 13, 2023 and giving Plaintiff until November 13, 2023 to file an Amended Complaint naming the previously unknown defendants and adding any additional factual allegations in support of his claims (9/14/2023 Order, ECF No. 18); and

WHEREAS, on October 13, 2023, Defendants identified the practitioner referred to as “Dr. Blackmore” as Larry Blackmore, P.A; indicated that they had not identified any other medical personnel in response to the Court’s prior Orders; and identified the Corrections Officer on duty at the time of the January 12, 2023 alleged incident as C.O. Sincere Crowell, Shield No. 3608 (10/13/2023 Letter, ECF No. 19); and

WHEREAS, on October 16, 2023, the Court endorsed Defendant’s October 13, 2023 Letter reminding Plaintiff the deadline to file an Amended Complaint naming the previously unknown

defendants and adding any additional factual allegations in support of his claims was November 13, 2023 (Mem. End., ECF No. 20); and

WHEREAS, as of the date of this Order, the Court has not received an Amended Complaint from Plaintiff.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT Plaintiff shall file his Amended Complaint no later than December 15, 2023. Plaintiff is warned that failure to do so, or otherwise respond to the Court's Order, may result in the imposition of sanctions up to and including a recommendation to the District Judge that his case be dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

SO ORDERED.

Dated: New York, New York
November 21, 2023

A handwritten signature in black ink, appearing to read "Stewart D. Aaron", is written above a horizontal line.

STEWART D. AARON
United States Magistrate Judge